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AUG 27 2007

OFFICE OF PETITIONS

OSTROLENK FABER GERB & SOFFEN
1180 AVENUE OF THE AMERICAS
NEW YORK NY 10036-8403

In re Application of :
Cheung, et al. : DECISION ON PETITION
Application No. 10/628,503 :
Filed: July 28, 2003 :
Docket No.: P/4076-55 :

This is a decision on the petition under 37 C.F.R. § 1.137(b), filed July 30, 2007, to revive the above-identified application.

The petition is GRANTED.

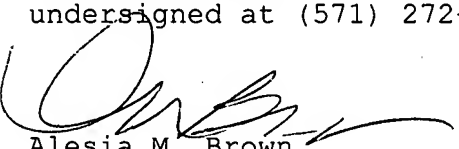
This application became abandoned November 7, 2006 for failure to timely reply to the Notice of Defective Brief (Notice) mailed September 6, 2006. The Notice set a one month shortened statutory period of time for reply. A one month extension of time was procured, however, the reply submitted therewith was deemed defective, as indicated in the Notice of Abandonment mailed July 28, 2007.

A grantable petition pursuant to 37 C.F.R. § 1.137(b) must be accompanied by: (1) the required reply to the outstanding Office action or notice, unless previously filed; (2) the petition fee as set forth in 37 C.F.R. § 1.17(m); (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 C.F.R. § 1.137(b) was unintentional; and (4) any terminal disclaimer (and fee set forth in 37 C.F.R. § 1.20(d)) required pursuant to 37 C.F.R. § 1.137(c).

The instant petition has been reviewed and found in compliance with the provisions of 37 C.F.R. § 1.137(b). Accordingly, the failure to timely submit a proper reply to the Notice is accepted as having been unintentionally delayed.

This application is being forwarded to Technology Center 2800 for further processing.

Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3205.


Alesia M. Brown
Petitions Attorney
Office of Petitions